

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

X

SERVISIO SIMMON

:

Plaintiff(s), : 1:23-CV-01489-DLC

v. :

CITY OF NEW YORK, ET AL

:

Defendant(s). :

X

**AFFIDAVIT OF SERVISIO SIMMON IN OPPOSITION TO MOTION FOR JUDGMENT ON
THE PLEADINGS**

STATE OF NEW YORK)

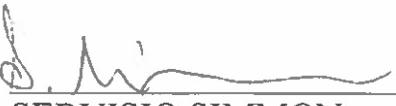
) ss.:

COUNTY OF QUEENS)

SERVISIO SIMMMON, being duly sworn, deposes and says:

1. I am over 18 years of age, of sound mind and otherwise competent to make this Affidavit. The evidence set out in the foregoing Affidavit is based on my personal knowledge.
2. I have reviewed the "General Release" that was attached as Exhibit One to this Affidavit.
3. This is the first time I have ever seen this document.
4. As a result of me having never seen this document, I have never read the terms of this Release nor had the terms read to me.
5. I did not sign this document.
6. My attorney asked if they could sign settlement paperwork on my behalf. I was not informed nor notified that there was general release that would extinguish all of my other claims.

[REMAINDER INTENTIONALLY LEFT BLANK]



SERVISIO SIMMON

Sworn to before me this 1st
day of ~~August~~, 2023

September

Lisa M. Minor
NOTARY PUBLIC

Lisa M. Minor
Notary Public, State of New York
No. 01MI5049230
Qualified in Bronx County
Commission Expires: 10/02/2025